

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED
MAY 21 2013
for Roanoke
BY: JULIA C. DUDLEY, CLERK
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M. Shupp

JACOB SHOUSE) Case No. 7:12cv-00479
)
 Plaintiff,) ORDER
)
 v.)
)
 DAVID BOHEM, et. al.,)
) By: Hon. Jackson L. Kiser
 Defendants) Senior United States District Judge

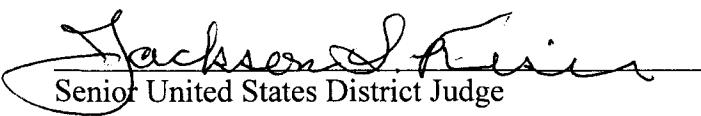
In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

- (1) Defendant Bohem and Davidson's motion for summary judgment (Docket No. 22) under 42 U.S.C. § 1997e(a) for failure to exhaust administrative remedies is **GRANTED in part and DENIED in part**, as follows: the motion is **DENIED** as to plaintiff's claim related to denial of adequate mental health treatment (claim 1) and **GRANTED** on claims 2, 3, 4 and 5, which claims are dismissed without prejudice.
- (2) Defendant Jones' motion to dismiss (Docket No. 23) is **GRANTED** on all plaintiff's claims.
- (3) Defendants Bohem and Davidson are granted leave to file an amended motion for summary judgment addressing the merits of plaintiff's remaining claim.

ENTER: this 21st day of May, 2013.


Senior United States District Judge